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C O N F I D E N T I A L SECTION 01 OF 02 RIGA 000536

SIPDIS

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TAGS: [PGOV](#) [KCOR](#) [LG](#)

SUBJECT: LATVIAN PROSECUTOR GENERAL CLAIMS OLIGARCHS ARE
COLLUDING TO ERODE RULE OF LAW

REF: RIGA 533

Classified By: AMBASSADOR JUDITH GARBER, REASONS 1.4(B) AND (D)

¶1. (C) Summary: The Latvian Prosecutor General, Janis Maizitis, believes that Latvia's oligarchs orchestrated Parliament's recent rejection of Maris Vigants' nomination to the Latvian Supreme Court. Vigants is a respected judge that in 2007 ordered the detention of Aivars Lembergs, an oligarch, on bribery, money laundering and other charges. Maizitis fears that the oligarchs will use their influence to push for the nomination of a weak prosecutor general when his term ends in May. If his fears bear out, it would portend a serious challenge for rule of law in Latvia. End Summary

¶2. (C) The Latvian Prosecutor General, Janis Maizitis, candidly discussed his fears that Latvia's three oligarchs, Aivars Lembergs, Ainars Slesers, and Andris Skele, are undermining Latvia's democracy in an October 27 meeting with Ambassador Garber. The following is a summary of that meeting.

Oligarchs Block Judge's Nomination

¶3. (SBU) On October 22 Latvia's Parliament rejected the nomination of Maris Vigants to the Latvian Supreme Court in a secret ballot vote. Vigants is a respected administrative judge whose nomination was widely expected to succeed. In 2007 Vigants ordered authorities to arrest Aivars Lembergs, the notoriously corrupt mayor of Ventspils, the fourth largest city in Latvia, on corruption and money laundering charges. Lembergs was released from custody for health reasons and he continues to serve as Ventspils' mayor, but his trial slowly continues.

¶4. (C) Maizitis believes that the three Latvian oligarchs colluded to collectively pull the strings of enough politicians to block Vigants' nomination. Other Latvian officials, including a prominent member of Parliament and the Association of Administrative Judges, have raised similar concerns with us. (Reftel).

¶5. (C) Maizitis said that his subordinates wanted to publicly condemn Parliament's vote, but Maizitis convinced them to privately talk to President Zatlers instead. Maizitis was concerned that a public statement would lead to the removal of prosecutors from the Lembergs case, based on supposed conflicts of interest. Ambassador Garber requested that Maizitis share the results of the meeting.

Grinding Down the Prosecutors

¶6. (C) Maizitis described the Vigants vote as just the latest event to lower the morale of his prosecutors. Powerful business interests, particularly

the oligarchs, frequently pressure prosecutors. For example, Maizitis said that one of Lembergs' associates once told Maizitis that if he crossed Lembergs they would organize the press to make his life miserable. Maizitis also believes that at least one of his past conversations may have been wiretapped.

¶7. (C) Maizitis also noted that although the Prosecutor's office is theoretically independent, Parliament reduced its budget by 40% this year, triggering a 30% reduction in prosecutors' salaries. Maizitis fears that lower salaries could make his prosecutors vulnerable to bribery attempts.

¶8. (C) According to Maizitis, the Parliament's vote indicates that the future options for bright and honest prosecutors are dim. Even before the Vigants vote, major Latvian law firms did not want to hire former prosecutors, in order to avoid offending powerful business interests.

Mysterious Deaths in the Lembergs Trial

¶9. (C) Maizitis discussed his suspicion of a deadly conspiracy in the Lembergs trial. He said that after the authorities arrested Lembergs many potential witnesses fled Latvia to avoid testifying. One such witness was an accountant that allegedly served as Lembergs' bagman to bribe politicians and fund the Union of Greens and Farmers, a political party bankrolled by Lembergs. This accountant offered to return and testify against Lembergs if Maizitis dropped charges against him. Maizitis agreed. But before the accountant could testify, he died

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and his ashes were returned to Latvia. However, Maizitis has heard rumors that the accountant called his first wife from London and Paraguay after the date of his supposed death. Maizitis said this is the third mysterious death of a potential witness against Lembergs. Maizitis has no hard evidence indicating a conspiracy, but he is suspicious.

Who Appoints the Prosecutor General?

¶10. (C) Maizitis' term expires in May. He does not expect to be re-appointed. As the term draws to a close, according to Latvian law the Chief Justice of the Supreme Court will propose a candidate to replace Maizitis and then Parliament must approve or deny the candidate by a simple majority. The Chief Justice has full discretion in nominating the next Prosecutor General.

¶11. (C) Maizitis indicated to us that he does not trust the Chief Justice, Ivars Bickovics, to make a good choice. Instead he fears that he will choose someone acceptable to the oligarchs. Maizitis suggested that Bickovics, is a former KGB agent. He said that is the reason Bickovics does not have a security clearance. Maizitis also said he believes that Bickovics did not legally obtain Latvian citizenship, because his mother lied about his grandfather's birthplace.

Comment

¶12. (C) Maizitis is typically circumspect about his work in public but has been open with the Embassy in the past. He is known as a champion of transparency in Latvia and we do not believe he harbors political ambitions. In his meeting with Ambassador Garber Maizitis appeared sincere and somewhat defeated. This meeting is the latest sign of a disturbing trend in Latvia. The oligarchs appear to be frequently flexing their muscles to erode the rule of law and create a climate favorable to their business interests. (Reftel) Maizitis summed up the problem well

when he said that "the question is whether or not some
people are above investigation." End Comment.
GARBER